

021704
15750 U.S. PTO021704
10/780082 U.S. PTO

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 0275Y-000625/COD

First Inventor Michael L. O'Banion et al.

Title METHOD AND APPARATUS FOR FASTENING STEEL FRAMING WITH NAILS

Express Mail Label No. EV 406 074 532 US (2/17/2004)

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 54]
(preferred arrangement set forth below)
 Specification filed in English
 - Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (*if filed*)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 24]
5. Oath or Declaration [Total Pages]
 a. Newly executed (original or copy)
 b. Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
 i. **DELETION OF INVENTOR(S)**
 Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

7. CD-ROM or CD-R in duplicate, large table or Computer Program (*Appendix*)
 8. Nucleotide and/or Amino Acid Sequence Submission (*if applicable, all necessary*)
 a. Computer Readable Form (CRF)
 b. Specification Sequence Listing on:
 i. CD-ROM or CD-R (2 copies); or
 ii. paper
 c. Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. Assignment Papers (cover sheet & document(s))
 10. 37 C.F.R. § 3.73(b) Statement Power of Attorney
 11. English Translation Document (*if applicable*)
 12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
 13. Preliminary Amendment
 14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
 15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
 16. Request and Non Publication under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
 17. Other: Reference to Recorded Assignment of Original Application (including copy of 3 sets of Assignment documents which collectively contain the signature of the 5 inventors)

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP)

of prior application No: 10 / 176,998

Prior application information: Examiner Neill R. Wilson

Group / Art Unit: 3679

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS Customer Number or Bar Code Label

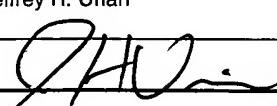
27572

or Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name	Harness, Dickey & Pierce, P.L.C.				
Address	P.O. Box 828				
City	Bloomfield Hills	State	MI	Zip Code	48303
Country	United States of America	Telephone	248-641-1600		Fax 248-641-0270

Name (Print/Type) Jeffrey H. Urian Registration No. (Attorney/Agent) 46,232

Signature  Date February 17, 2004

EV 406 074 532 US

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 878)

Complete If Known

Application Number

Filing Date

First Named Inventor Michael L. O'Banion

Examiner Name

Group / Art Unit

Attorney Docket No. 0275Y-000625/COD

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Other None Order
 Deposit Account:

Deposit Account Number

02-2548

Deposit Account Name

Black & Decker (U.S.) Inc.

The Commissioner is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments

 Charge any additional fee(s) during the pendency of this application

 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity				
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	770
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)				(\$ 770)	

2. EXTRA CLAIM FEES

Total Claims	26	-20 **	=	6	X	18	=	108	Extra Claims	Fee from below	Fee Paid
Independent Claims	3	-3 **	=	0	X		=	0			
Multiple Dependent					X		=	0			

Large Entity	Small Entity				
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)				(\$ 108)	

*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity										
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid						
1051	130	2051	65	Surcharge - late filing fee or oath							
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet							
1053	130	1053	130	Non-English specification							
1812	2,520	1812	2,520	For filing a request for reexamination							
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action							
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action							
1251	110	2251	55	Extension for reply within first month							
1252	420	2252	210	Extension for reply within second month							
1253	950	2253	475	Extension for reply within third month							
1254	1,480	2254	740	Extension for reply within fourth month							
1255	2,010	2255	1,005	Extension for reply within fifth month							
1401	330	2401	165	Notice of Appeal							
1402	330	2402	165	Filing a brief in support of an appeal							
1403	290	2403	145	Request for oral hearing							
1451	1,510	1451	1,510	Petition to institute a public use proceeding							
1452	110	2452	55	Petition to revive – unavoidable							
1453	1,330	2453	665	Petition to revive – unintentional							
1501	1,330	2501	665	Utility issue fee (or reissue)							
1502	480	2502	240	Design issue fee							
1503	640	2503	320	Plant issue fee							
1460	130	1460	130	Petitions to the Commissioner							
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)							
1806	180	1806	180	Submission of Information Disclosure Stmt							
8021	40	8021	40	Recording each patent assignment per property (times number of properties)							
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))							
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))							
1801	770	2801	385	Request for Continued Examination (RCE)							
1802	900	1802	900	Request for expedited examination of a design application							
Other fee (specify) _____											

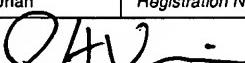
*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 0)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Jeffrey H. Urian	Registration No. Attorney/Agent)	46,232	Telephone	248-641-1600
Signature					Date February 17, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

Filing Date:

Applicant: Michael L. O'Banion et al.

Group Art Unit:

Examiner:

Title: METHOD AND APPARATUS FOR FASTENING STEEL
FRAMING WITH NAILS

Attorney Docket: 0275Y-000625/COD

Director of The United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

**REFERENCE TO RECORDED ASSIGNMENT
OF ORIGINAL APPLICATION**

This application is a continuation application of U.S. Application No. 10/176,998.

A prior assignment of the original application is recorded in the U.S. Patent and Trademark Office at Reel 013344, Frame 0944 and a copy of the assignment is provided herewith. This assignment recorded against the original application gives the assignee rights to the subject matter common to both applications.

Respectfully submitted,

Dated: February 17, 2004

By: 
Jeffrey H. Urien
Reg. No. 46,232

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600